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SUBJECT: PAKISTAN'S DRAFT AFGHAN MANAGEMENT STRATEGY AND
IMPLEMENTATION OF RAHA

REF: ISLAMABAD 1823

Classified By: Anne W. Patterson, for reasons 1.4 (b)(d)

¶1. (C) Summary: The final step necessary to extend the permitted stay of Afghan refugees in Pakistan through 2012 is issuance of an executive order by the Prime Minister. A draft Afghan strategy is in the final stages of governmental consideration and will go to the Prime Minister and the Cabinet for review after the Eid al-Fitr holiday (Sept 21-23). Unlike the preceding GOP Afghan repatriation strategy, the new draft strategy focuses not on Afghan repatriation but on the GOP's management of its Afghan population. It includes provisions on work visas and permits, health-related visas, and investment incentives, as well as extending the duration of Proof of Registration (POR) cards which afford temporary protection for Afghan refugees in Pakistan. While in the final stages of the governmental approval process, the new strategy may yet face delays or changes due to eleventh hour reconsiderations and misgivings in the Ministry of Interior. On a separate track, Pakistani and Afghan officials have been meeting to discuss cross-border movement of people under the auspices of the Canadian-hosted "Dubai Process" (reftel). The UN's Refugee Affected and Hosting Areas Initiative (RAHA), formally initiated by joint agreement with the GOP in May 2009, currently has funding commitments of over USD 5 million (including USD 2.3 million already provided by the USG), and in mid-September UNHCR launched small, Pakistan government-approved, quick impact NGO projects worth over USD 1.17 million in refugee hosting areas. RAHA seeks to promote increased acceptance of Afghan refugees by their Pakistani hosts and to compensate Pakistani communities for social, economic and environmental consequences of three decades of hosting refugees. End Summary.

Background

¶2. (C) After protracted negotiations, UN agencies and the GOP on May 15, 2009 signed a document initiating the Refugee Affected and Hosting Areas (RAHA) initiative. Under this five-year (2009-2013), USD 140 million initiative UNHCR, UNDP and six other UN agencies will fund development projects in 21 refugee-affected and refugee-hosting districts in Pakistan. Coincident with the formal initiation of RAHA, the GOP also signaled its intent to extend the permitted stay of registered Afghan refugees in Pakistan through 2012. The aim

of RAHA is to promote regional stability and compensate for the social, economic and environmental consequences wrought in Pakistani communities from three decades of hosting refugees. The program seeks to promote amicable co-existence between Pakistani and Afghan refugee communities and maintain asylum space for Afghans in Pakistan until conditions in Afghanistan are conducive for return.

13. (C) On July 28, UNHCR and the governments of Pakistan and Afghanistan agreed at a Tripartite Commission meeting in Kabul formally to endorse the extension of the tripartite agreement on voluntary repatriation until 2012. The parties also agreed to prepare the extension (from end 2009 to end 2012) of the Proof of Registration cards of registered Afghan refugees in Pakistan. Afghanistan's absorptive capacity for returning refugees remains limited, and the previous deadline (Dec. 31, 2009) for the return of 1.7 million registered Afghan refugees from Pakistan to Afghanistan was deemed unsupportable and likely to have created great hardship for returnees and their home communities. Afghan refugees remain reluctant to repatriate due to the uncertain security situation and lack of shelter, education, health care and employment. The Tripartite Commission parties also discussed the need to document and manage the movement of undocumented persons between Afghanistan and Pakistan.

14. (C) On August 5-6, UNHCR Pakistan, the Ministry of States and Frontier Regions (SAFRON), and the Commissionerate for Afghan Refugees (CAR) participated in a facilitated retreat to help work out revised goals and objectives for CAR, including plans for management reform to position CAR for

ISLAMABAD 00002311 002 OF 004

management of an eligibility commission and coordination on RAHA and to enhance its security force.

Pakistan's Afghan Strategy

15. (SBU) According to UNHCR, some 60,000 people cross the Afghanistan-Pakistan border (both directions) every day without documentation while only 200-300 per day cross with visas. The Government of Pakistan estimates that there are in Pakistan approximately 3.5 million Afghans of whom roughly half are registered refugees. Last year, according to UNHCR, 283,000 Afghan refugees repatriated from Pakistan. While approximately five thousand were deregistered "recyclers" returning for the second time, the remaining approximately 278,000 registered refugees availed themselves of the \$100/head repatriation grant offered by UNHCR. UNHCR estimates that, in addition to the hundreds of thousands of Afghan economic migrants and other illegal Afghans now in Pakistan, there are currently an estimated 250,000-300,000 unregistered Afghans who were previously registered refugees but who gave up status when they returned to Afghanistan, only to return later again to Pakistan.

16. (C) The Government of Pakistan has come to realize that its Afghan strategy must not just deal with the issue of Afghan refugee repatriation but also with the larger issue of managing the migration of Afghans. Increasingly concerned with the terrorism potential of undocumented aliens, the GOP has realized the need, as expressed by UNHCR Assistant Representative Kilian Kleinschmidt, effectively "to keep the fish on the surface of the pond where you can see them." The current draft Afghan management strategy, which was approved in principle by an interministerial committee, is not just a refugee regime or a repatriation strategy but also includes a visa regime (including work visas, medical visas, etc. and provisions dealing with work permits and investment incentives including property ownership.

17. (C) The draft strategy outlines mechanisms to identify, document and regulate migration of Afghans, including economic migrants and other non-refugees. According to SAFRON Joint Secretary Imran Zeb (roughly an Under Secretary

equivalent), the goal of the strategy is to establish the identity of each Afghan in Pakistan, to establish the purpose of his stay, and to be able "to distinguish between work permit issues and protection issues." (Note: Pakistani and Afghan officials are also discussing these issues as part of the Canadian-hosted "Dubai process" (reftel). It is not clear that processes being discussed in the two contexts have been fully deconflicted or coordinated.)

¶8. (C) Consistent with commitments made in the context of the RAHA signing and the July Tripartite Commission meeting, the current draft of Pakistan's revised Afghan management strategy reiterates that repatriation will be voluntary and dignified and also extends the duration of Proof of Registration cards for Pakistan's 1.7 million registered Afghan refugees from the current expiry date of December 31, 2009 through the end of 2012. The strategy also incorporates the RAHA agreement, and according to Zeb, the Ministry is working on strengthening and restructuring the Commissionerate for Afghan Refugees to make it "more development-oriented." (Note: On the margins of EXCOM in October, SAFRON will brief on Afghan issues, the restructuring of CAR, and the efforts to strengthen its capacity for providing humanitarian security.)

¶9. (SBU) The Proof of Registration card, which offers Afghan refugees temporary protection in Pakistan, is issued by the National Aliens Registration Authority. Afghans in Pakistan are often arrested and can be deported on the pretext of illegal stay, but those who can produce a POR will usually be released, particularly on intercession of UNHCR. Registration for the POR card has been closed since March of 2007 although potential refugees still can go through a refugee status determination process with UNHCR. (Note: Based on registrations as of 2007, approximately 700,000 of the 1.7 million refugees are in 83 refugee camps/villages.)

ISLAMABAD 00002311 003 OF 004

As the POR card does provide temporary protection, including against deportation, refugees who have arrived since March of 2007 are more vulnerable than those who arrived previously. In the context of the new strategy, both UNHCR and SAFRON support the idea of instituting smart cards to capture individual refugee identification data and proof of registration, as well as any other authorizations received, like work permits. Both UNHCR and CAR have informally expressed an interest in donor support for this endeavor.

¶10. (C) Pakistan does not have refugee law, nor is it a party to the 1951 UN Convention relating to the Status of Refugees or the 1967 Protocol. Thus, to come into effect, the draft strategy must be issued under an executive order from the Prime Minister. The draft strategy received input from and previously had the concurrence of all members of an interministerial committee, including the Ministry of Interior. However, when SAFRON sent a summary of the strategy out to committee members for formal written endorsement, the MOI declined to endorse it. The Ministry of Interior objected to the draft strategy on security grounds and informally conveyed an interest in retaining the end-2009 repatriation deadline.

¶11. (C) On September 15, SAFRON met with the Ministry of Interior with the intention to make clear that forced repatriation by end-2009 would be logistically impossible, against international law, and in contradiction to the Prime Minister's directive to review and revise the current Afghan repatriation strategy. It would also be contrary to commitments made by the GOP and would jeopardize RAHA.

¶12. (C) An informal readout from SAFRON of the meeting with the Secretary of Interior indicated that it did not go as well as SAFRON had hoped. Although the Interior Secretary agreed to let SAFRON submit a summary of the proposed strategy to the Prime Minister, he said that he intended to flag security concerns. At the September 15 meeting, SAFRON

substantiated its contention that actual refugees do not pose a security risk to Pakistan by highlighting that over the past two years, only seven POR card holders (out of a total of more than 1.7 million registered Afghan refugees) were implicated in any crime in Pakistan. The Secretary took this point on board but held fast to security reservations and, according to Zeb, noted that, "If we don't flag this, we wouldn't be the Ministry of Interior." The Minister of SAFRON followed up his staff's meeting with the MOI by meeting September 17 with the Prime Minister and will also send a letter to the Cabinet on this issue. SAFRON intends to provide the strategy summary to the Prime Minister and Cabinet on September 24.

RAHA

¶13. (U) The RAHA initiative is a joint project of the Government of Pakistan (SAFRON/CAR/the Economic Affairs Division) and UNDP/UNHCR and other participating UN agencies.

Originally conceived in 2005 to be jointly implemented by UNHCR and UNDP, RAHA now falls under the One UN reform process and specifically under the Disaster Risk Management Technical Working Group. UNHCR and UNDP are the convening agencies for RAHA, and they along with FAO, WHO, UNESCO, UNICEF, ILO and WFP will implement the initiative in cooperation with the GOP. At the federal level, a Program Support Unit, made up of personnel from UNHCR, UNDP, and the GOP and an expert seconded by the German Government, is based in UNHCR's Islamabad office. The German Government has donated USD 2.0 million to cover not only this seconded expert but also program management and support through establishment of a Provincial Management Unit based in Peshawar. While the UNDP component (for refugee-affected areas) of RAHA is not yet off the ground, UNHCR has for the past two years squeezed limited funding out of savings (USD 500,000 in 2007 and almost USD 1 million in 2008) to do small, pre-pilot RAHA projects, mostly in the health sector, in refugee hosting areas.

¶14. (U) Since the formal initiation of RAHA, UNHCR has

ISLAMABAD 00002311 004 OF 004

received USD 2.3 million from State's Bureau of Population Refugees and Migration to fund additional projects, and the German Government has also pledged USD 1.5 million in project funding. UNHCR is providing USD 500,000, most of which will go to setting up a RAHA cell in the Commissionerate for Afghan Refugees but some of which will also go to project funding. The GOP will provide USD 1 million which will go toward five pre-approved government projects under RAHA (one in Balochistan and four in the Northwest Frontier Province). Further down the line, a German Government-owned development bank will provide 10 million euros over 18 months for RAHA projects in Peshawar and Mardan, and the EU has pledged 40 million euro through UNDP over five years beginning in 2010.

¶15. (U) Since the formal initiation of RAHA, UNHCR has taken the lead in organizing a July 2 workshop to establish process flow and issuing to all entities active in the refugee-hosting areas (government and NGO) a July 15 project proposal solicitation (with proposals due August 5). UNHCR's goal is to use available funding for small, quick impact projects in refugee-hosting areas.

¶16. (C) RAHA initially got off to a rocky start, stalled by internal UN negotiations, by CAR attempts to take control, by the SAFRON Minister's interest in focusing projects in Dir where he is from, by local government project concepts that were neither small/quick impact nor fully fleshed out, and by local government initial reluctance to approve well-planned NGO projects. However, the pilot project has now been launched. According to UNHCR RAHA lead John Andrew, after an August 31 UNHCR meeting with the Minister of SAFRON and provincial representatives, UNHCR was able to gain GOP approval for USD 1,171,000 in NGO projects (out of a total of

about USD 5.5 million in NGO project proposals). The approved projects were launched in mid-September. Project examples include school classrooms and school equipment, basic health unit labor rooms, and small water projects (wells, hand pumps and mini-hydro stations to divert irrigation channels to produce electricity). Andrew notes that his target for RAHA is "to reduce UNHCR direct handling of refugees while improving services to both local refugee-hosting communities and the refugees themselves." His goal is to help "get Pakistan to tolerate the Afghans here."

¶17. (U) Beginning in 2010, the UN and the GOP should begin a more in depth review process of larger scale, longer-term projects in both refugee-affected and refugee-hosting areas. According to Andrew, Pakistan's internal displacement crisis actually provides a funding opportunity for RAHA, and, in fact, both EU and longer-term German contributions will focus in areas that are both refugee- and IDP-affected and/or hosting. The UN High Commissioner for Refugees Antonio Guterres made the point during his visit to Pakistan in May, that the community-based development model of RAHA would be a good model for IDP-affected and hosting areas as well.
PATTERSON